



**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

June 17, 2008

**Setting the Record Straight on**  
**The New Employee Verification Act (H.R. 5515)**

Dear Colleague,

There are more than 10 reasons to support H.R. 5515, the New Employee Verification Act, or NEVA. In fact, there are millions of reasons – millions of hard-working Americans and millions of American employers who deserve to have a reliable, effective, and secure employee verification system.

A reasonable and objective review of NEVA recognizes that our intentions are to ensure law-abiding citizens enjoy their right to work and that illegal immigrants are removed from the workforce. The attached document dispels 10 myths and sets the record straight.

It is time to move away from a voluntary experiment with employment verification and embrace a workable comprehensive approach to worksite enforcement. NEVA provides such an approach. That is why NEVA is supported by the National Federation of Independent Business, the National Association of Home Builders, and the HR Initiative for a Legal Workforce, which includes the National Association of Manufacturers.

If you or your staff have any questions about NEVA, or would like more information about setting the record straight on NEVA, please feel free to contact Kathleen Black (Johnson personal office) at 5-4201 or Caryn B. Schenewerk at 5-2542 (Giffords personal office).

Sincerely,

s/ Sam Johnson  
Member of Congress

s/ Gabrielle Giffords  
Member of Congress

<i><b>It's a MYTH that NEVA...</b></i>	<i><b>The FACT is NEVA...</b></i>
Is untested and removes enforcement from the Department of Homeland Security (DHS)	<b>Builds on trusted systems that exist today</b> , utilizing the same databases that E-Verify does, while addressing the problems the program has faced by transmitting information through a system already used by 90 percent of employers and by enhancing identity theft protections and accuracy standards.
Lets unscrupulous employers off the hook by repealing the current I-9 verification process	<b>Mandates employer participation and increases penalties for employer noncompliance</b> requiring all employers to verify new hires and attest electronically they have followed the law and eliminates the fraudulent I-9 process which has allowed 7 million immigrants to work illegally.
Preempts state and local laws aimed at curtailing illegal activity	<b>Preempts state and local law to shut down sanctuary cities</b> and prevents the states from enacting a patchwork of conflicting laws across the country that unduly burdens businesses and hinders economic development. Immigration is a national problem and requires a national solution.
Is a "cash-cow" for trial lawyers	<b>Protects American workers through appeals procedures</b> when they may have been denied a job due to an error in a government database and through no fault of their own. Holding a job is a right reserved to every U.S. citizen and they should be allowed to challenge any attempt to deny that right.
Makes American taxpayers liable	<b>Compensates workers wrongly fired due to errors in government databases</b> with lost wages, making certain that no family is starved of their livelihood due to a bureaucratic mistake. This holds the government accountable for their mistakes and creates an incentive to clean up its databases.
Provides safe harbor to millions of illegal aliens	<b>Enhances the ability of DHS to enforce the law</b> by providing law enforcement with immediate leads on the unscrupulous employers who may be employing large numbers of immigrants illegally and by preventing employers from successfully running an illegal worker through the verification system.
Is a draconian system and could violate privacy concerns.	<b>Relies on cutting edge technology and the advice of privacy experts to protect workers' privacy.</b> NEVA creates a voluntary system for employers to authenticate their employee's identity and to secure the identity through a biometric identifier. NEVA also requires the use of fewer, more secure identity documents and establishes penalties for privacy violations to ensure the highest degree of privacy.
Allows illegals to collect Social Security	<b>Prevents future unauthorized earnings from being credited towards Social Security benefits</b> , rightly recognizing that the DHS cannot tell the SSA who was or was not an illegal worker in the past and attempts at guessing could deny U.S. citizens the proper Social Security benefit they have earned.
Has a self-destruct clause that ensures the system will never get off the ground	<b>Protects Social Security by requiring the Congress to step up to the plate</b> and provide the necessary resources to the SSA – who must be a part of the solution – before the Agency performs verification, ensuring the Agency's core mission of serving the nation's seniors and those with disabilities is in no way undermined.
Reinvents the wheel	<b>Perfects the wheel by building upon the experience</b> that both DHS and the SSA have gained through E-Verify, creating a comprehensive approach to worksite enforcement. Failing to address the challenges facing E-Verify means two more decades of failed worksite enforcement. NEVA recognizes this fact and creates an effective system of worksite enforcement for the future.